

REMARKS

In the January 20, 2006 Office Action, claims 1-20 stand rejected in view of prior art.
In the January 20, 2006 Office Action, all of the claims stand rejected in view of prior art.
No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the January 20, 2006 Office Action, Applicants respectfully traverse the rejections thereto. Further, Applicant has amended claims 1-3, 5-7, and 12-14 to correct form and/or typographical errors. Thus, claims 1-20 are pending, with claims 1 and 12 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Rejections - 35 U.S.C. § 103

On pages 2-6 of the Office Action, claims 1-5, 11, 12, 13, 14, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0146742 (Nishida et al.) in view of U.S. Patent No. 6,431,676 (Asauchi et al.). On pages 6-8 of the Office Action, claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nishida et al. in view of Asauchi et al., and further in view of U.S. Patent Publication No. 2003/0193539 (Umetani et al.). On pages 8 and 9 of the Office Action, claims 8 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nishida et al. in view of Asauchi et al., and further in view of U.S. Patent Publication No. 2003/0048331 (Takahashi et al.). On pages 9-11 of the Office Action, claims 9, 10, 16, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nishida et al. in view of Asauchi et al. and U.S. Patent Publication No. 2002/0057303 (Takahashi et al.), and further in view of U.S. Patent No. 6,488,349 (Matsuo et al.). Lastly, on pages 11 and 12 of the Office Action, claims 19 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable

over Nishida et al. in view of Asauchi et al., and further in view of U.S. Patent Publication 2003/0151637 (Nakamura et al.). With respect to the rejections of claims 1-20, Applicants respectfully traverse these rejections, particularly in view of the following comments.

First, the subject application was filed after November 29, 1999. Second, the present application and the Nishida et al., Takahashi et al. (2003/048331), and Nakamura et al. patent application publications were commonly owned at the time the present invention was made. Thus, prior art that was commonly owned and based on 35 U.S.C. §102 (e) is now disqualified as prior art against the claimed invention under 35 U.S.C. §103.

Statement Concerning Common Ownership

Application No. 10/783,094 and the Nishida et al. U.S. Patent Application Publication (2003/0146742), Takahashi et al. U.S. Patent Application Publication (2003/048331), and Nakamura et al. U.S. Patent Application Publication (2003/0151637) were, at the time the invention of Application No. 10/783,094 was made, owned by, or subject to an obligation of assignment to Seiko Epson Corporation.

Accordingly, Applicant believes that claims 1-20 of the above-identified patent application are patentable under 35 U.S.C. §103(c), because the Nishida et al., Takahashi et al. (2003/048331), and Nakamura et al. patent application publications are ***disqualified*** as prior art. See also MPEP §§706.02(I)(1) and 706.02(I)(2). Accordingly, withdrawal of these rejections is respectfully requested.

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Appl. No. 10/783,094
Amendment dated April 19, 2006
Reply to Office Action of January 20, 2006

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,



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